

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

AMENDED

In re: Mark Kesel

Case No.

10-41653

CHAPTER 11
MONTHLY OPERATING REPORT
(SMALL REAL ESTATE/INDIVIDUAL CASE)

SUMMARY OF FINANCIAL STATUS

MONTH ENDED: 02/28/10

PETITION DATE: 02/16/10

1. Debtor in possession (or trustee) hereby submits this Monthly Operating Report on the Accrual Basis of accounting (or if checked here the Office of the U.S. Trustee or the Court has approved the Cash Basis of Accounting for the Debtor).
Dollars reported in \$1

2. Asset and Liability Structure	End of Current Month	End of Prior Month	As of Petition Filing
a. Current Assets	\$31,570		
b. Total Assets	\$2,695,755		\$2,645,342
c. Current Liabilities	\$0		
d. Total Liabilities	\$4,082,506		\$4,083,006
3. Statement of Cash Receipts & Disbursements for Month	Current Month	Prior Month	Cumulative (Case to Date)
a. Total Receipts	\$6,979		\$6,979
b. Total Disbursements	\$6,979		\$6,979
c. Excess (Deficiency) of Receipts Over Disbursements (a - b)	\$0	\$0	\$0
d. Cash Balance Beginning of Month	\$6,570		\$6,570
e. Cash Balance End of Month (c + d)	\$6,570	\$0	\$6,570
4. Profit/(Loss) from the Statement of Operations	Current Month	Prior Month	Cumulative (Case to Date)
5. Account Receivables (Pre and Post Petition)	N/A	N/A	N/A
6. Post-Petition Liabilities	\$0		
7. Past Due Post-Petition Account Payables (over 30 days)	\$0		

At the end of this reporting month:

- | | | |
|--|-----|----|
| 8. Have any payments been made on pre-petition debt, other than payments in the normal course to secured creditors or lessors? (if yes, attach listing including date of payment, amount of payment and name of payee) | Yes | No |
| 9. Have any payments been made to professionals? (if yes, attach listing including date of payment, amount of payment and name of payee) | | X |
| 10. If the answer is yes to 8 or 9, were all such payments approved by the court? | | X |
| 11. Have any payments been made to officers, insiders, shareholders, relatives? (if yes, attach listing including date of payment, amount and reason for payment, and name of payee) | | X |
| 12. Is the estate insured for replacement cost of assets and for general liability? | | X |
| 13. Are a plan and disclosure statement on file? | | X |
| 14. Was there any post-petition borrowing during this reporting period? | | X |
15. Check if paid: Post-petition taxes ☒; U.S. Trustee Quarterly Fees ☐; Check if filing is current for: Post-petition tax reporting and tax returns: ☒
(Attach explanation, if post-petition taxes or U.S. Trustee Quarterly Fees are not paid current or if post-petition tax reporting and tax return filings are not current.)

I declare under penalty of perjury I have reviewed the above summary and attached financial statements, and after making reasonable inquiry believe these documents are correct.

Date: 03.22.2010

Responsible Individual

Mark Kesel

BALANCE SHEET
(Small Real Estate/Individual Case)
For the Month Ended 02/28/10

Assets		Check if Exemption Claimed on Schedule C	Market Value
Current Assets			
1	Cash and cash equivalents (including bank accts., CDs, etc.)		\$6,570
2	Accounts receivable (net)		
3	Retainer(s) paid to professionals		
4	Other: <u>Retainer to Bankruptcy Attorney</u>		\$25,000
5			
6	Total Current Assets		\$31,570
Long Term Assets (Market Value)			
7	Real Property (residential)		\$859,000
8	Real property (rental or commercial)		\$1,500,000
9	Furniture, Fixtures, and Equipment	X	\$5,225
10	Vehicles	X	\$4,000
11	Partnership interests		
12	Interest in corporations		
13	Stocks and bonds		\$6,673
14	Interests in IRA, Keogh, other retirement plans	X	\$287,583
15	Other: <u>Small balances from bank accts.</u>		\$304
16	Personal items	X	\$1,400
17	Total Long Term Assets		\$2,664,185
18	Total Assets		\$2,695,755
Liabilities			
Post-Petition Liabilities			
Current Liabilities			
19	Post-petition not delinquent (under 30 days)		
20	Post-petition delinquent other than taxes (over 30 days)		
21	Post-petition delinquent taxes		
22	Accrued professional fees		
23	Other:		
24			
25	Total Current Liabilities		\$0
26	Long-Term Post Petition Debt		
27	Total Post-Petition Liabilities		\$0
Pre-Petition Liabilities (allowed amount)			
28	Secured claims (residence)		\$889,373
29	Secured claims (other)		\$1,556,810
30	Priority unsecured claims		\$0
31	General unsecured claims		\$1,632,737
32	Total Pre-Petition Liabilities		\$4,078,920
33	Total Liabilities		\$4,078,920
Equity (Deficit)			
34	Total Equity (Deficit)		(\$1,383,165)
35	Total Liabilities and Equity (Deficit)		\$2,695,755

NOTE:

Indicate the method used to estimate the market value of assets (e.g., appraisals; familiarity with comparable market prices, etc.) and the date the value was determined.

SCHEDULES TO THE BALANCE SHEET

Schedule A Rental Income Information

List the Rental Information Requested Below By Properties (For Rental Properties Only)

	<u>Property 1</u>	<u>Property 2</u>	<u>Property 3</u>
1 Description of Property	1306 MLK Jr Way		
2 Scheduled Gross Rents	\$16,728		
Less:			
3 Vacancy Factor			
4 Free Rent Incentives			
5 Other Adjustments			
6 Total Deductions	\$9,749	\$0	\$0
7 Scheduled Net Rents	\$6,979	\$0	\$0
8 Less: Rents Receivable (2)			
9 Scheduled Net Rents Collected (2)	\$6,979	\$0	\$0

(2) To be completed by cash basis reporters only.

Schedule B Recapitulation of Funds Held at End of Month

	<u>Account 1</u>	<u>Account 2</u>	<u>Account 3</u>
10 Bank	Wells Fargo Bank	Bank of America	Mechanics Bank
11 Account No.	2883205755/115389050	07028-01795	41317564
12 Account Purpose	Personal	Apartment Bldg	Personal
13 Balance, End of Month	\$796	\$379	\$5,395
14 Total Funds on Hand for all Accounts	\$6,570		

Attach copies of the month end bank statement(s), reconciliation(s), and the check register(s) to the Monthly Operating Report.

STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS

Increase/(Decrease) in Cash and Cash Equivalents

For the Month Ended 02/28/10

		Actual Current Month	Cumulative (Case to Date)
Cash Receipts			
1	Rent/Leases Collected		
2	Cash Received from Sales		
3	Interest Received		
4	Borrowings		
5	Funds from Shareholders, Partners, or Other Insiders		
6	Capital Contributions		
7	Net Rents Proceeds including laundry income	\$6,979	\$6,979
8			
9			
10			
11			
12	Total Cash Receipts	\$6,979	\$6,979
Cash Disbursements			
13	Selling		
14	Administrative		
15	Capital Expenditures		
16	Principal Payments on Debt		
17	Interest Paid		
	Rent/Lease:		
18	Personal Property		
19	Real Property		
	Amount Paid to Owner(s)/Officer(s)		
20	Salaries		
21	Draws		
22	Commissions/Royalties		
23	Expense Reimbursements		
24	Other		
25	Salaries/Commissions (less employee withholding)		
26	Management Fees		
	Taxes:		
27	Employee Withholding		
28	Employer Payroll Taxes		
29	Real Property Taxes		
30	Other Taxes		
31	Other Cash Outflows:		
32	Living Expenses	\$4,204	\$4,204
33	Mortgage Payment	\$2,775	\$2,775
34			
35			
36			
37	Total Cash Disbursements:	\$6,979	\$6,979
38	Net Increase (Decrease) in Cash	\$0	\$0
39	Cash Balance, Beginning of Period	\$6,570	\$6,570
40	Cash Balance, End of Period	\$6,570	\$6,570

PMA® Wells Fargo® PMA Package

MARK KESEL
59 STRATFORD RD
KENSINGTON CA 94707-1241

If you have questions about this statement or
your accounts:

Phone: 1-800-742-4932, TTY: 1-800-600-4833
Spanish: 1-877-727-2932, TTY: 1-888-355-6052
Chinese: 1-800-288-2288

Online: wells Fargo.com

Write: Wells Fargo Bank, N.A.
P.O. Box 6995
Portland, OR 97228-6995

February 28, 2010

Total assets:	\$795.25
Last month:	\$1,508.34
Change in \$:	\$(713.09)
Change in %:	(47.28)%

Total liabilities:	\$198,680.81
Last month:	\$198,749.81
Change in \$:	\$(69.00)
Change in %:	(0.03)%

PMA Qualifying Balance: **\$199,476.06**

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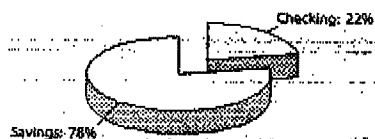


Overview of your PMA account

Assets

Account (Account Number)	Percent of total	Balance last month (\$)	Balance this month (\$)	Increase/decrease (\$)	Percent change
PMA* Prime Checking Account (2883205755)	22%	891.70	178.58	(713.12)	(79.97)%
Wells Fargo* Goal Savings (1153890502)	78%	616.64	616.67	0.03	0.00%
Total assets		\$1,508.34	\$795.25	(\$713.09)	(47.28)%

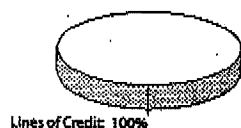
Total asset allocation (by account type)



Liabilities

Account (Account Number)	Percent of total	Outstanding balance last month (\$)	Outstanding balance this month (\$)	Increase/decrease (\$)	Percent change
Smartfit Home Equity LCA (6519200207-1908)	100%	198,749.81	198,680.81	(69.00)	(0.03)%
Total liabilities		\$198,749.81	\$198,680.81	(\$69.00)	(0.03)%

Total liability allocation (by account type)



Available credit

The information below may not be current. Be sure to verify the credit available on your accounts when accessing your credit lines.

Account	Approved credit line	Credit used	Credit available
Smartfit Home Equity LCA (6519200207-1908)	200,000.00	198,036.67	0.00
Total available credit	\$200,000.00	\$198,036.67	\$0.00

PMA® Prime Checking Account

Activity summary

Balance on 2/1	891.70
Deposits/Additions	0.02
Withdrawals/Subtractions	-713.14
Balance on 2/28	\$178.58

OK

Account number: **2883205755****MARK KESEL**

Wells Fargo Bank, N.A., California (Member FDIC)

Questions about your account: **1-800-742-4932**

Worksheet to balance your account and General Statement Policies can be found towards the end of this statement.

Interest you've earned

Interest earned this month	\$0.02
Average collected balance this month	\$560.59
Annual percentage yield earned	0.05%
Interest paid this year	\$0.05
Total interest paid in 2009	\$0.48

Transaction history

Date	Description	Check No.	Deposits/ Additions	Withdrawals/ Subtractions	Ending Daily Balance
Beginning balance on 2/1					891.70
2/16	WF Loan/Line Auto Pay 100212 515192002071998 Kesel Mark			713.14	178.56
2/26	Interest Payment		0.02		178.58
Ending balance on 2/28					178.58
Totals			\$0.02	\$713.14	



PMA® Prime Checking Account

Activity summary

Balance on 2/1	891.70
Deposits/Additions	0.02
Withdrawals/Subtractions	-713.14
Balance on 2/28	\$178.58

Account number: 2883205755

MARK KESEL

Wells Fargo Bank, N.A., California (Member FDIC)

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Date	Description	Check No.	Deposits/ Additions	Withdrawals/ Subtractions	Ending Daily Balance
Beginning balance on 2/1					891.70
2/16	WF Loan/Line Auto Pay 100212 515192002071998 Kesel Mark			713.14	178.56
2/26	Interest Payment		0.02		178.58
Ending balance on 2/28					178.58
Totals			\$0.02	\$713.14	

Wells Fargo® Goal Savings

Activity summary

Balance on 2/1	616.64
Deposits/Additions	0.03
Withdrawals/Subtractions	- 0.00
Balance on 2/28	\$616.67

OK.

Account number: **1153890502****MARK KESEL**

Wells Fargo Bank, N.A., California (Member FDIC)

Questions about your account: **1-800-742-4932**

Worksheet to balance your account and General Statement Policies can be found towards the end of this statement.

Interest you've earned

Interest earned this month	\$0.03
Average collected balance this month	\$616.64
Annual percentage yield earned	0.06%
Interest paid this year	\$0.05
Total interest paid in 2009	\$0.31

Transaction history

Date	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending Daily Balance
Beginning balance on 2/1				616.64
2/26	Interest Payment	0.03		616.67
Ending balance on 2/28				616.67
Totals		\$0.03	\$0.00	



Bank of America



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CD 03/02 1 0000 322 14 603 007972 #001 AV 0.335

MARK KESEL
1025 SOLANO AVE
ALBANY CA 94706-1617

SMC

Your Bank of America Prima Account Statement

Statement Period:
January 27 through February 23, 2010

Account Number: 07028-01795

At Your Service
Call: 510.649.8600

Written Inquiries
Bank of America
Albany Branch
PO Box 37176
San Francisco, CA 94137-0176

Customer since 1994
Bank of America appreciates your
business and we enjoy serving you.

Our free Online Banking service allows you to check balances, track account activity, pay bills and more. With Online Banking you can also view up to 18 months of this statement online and even turn off delivery of your paper statement. Enroll at www.bankofamerica.com.

☐ Summary of Your Prima Interest Checking Account

Beginning Balance on 01/27/10	\$379.63	Number of ATM withdrawals and transfers	0
Ending Balance	\$379.63	Number of purchase transactions	0
		Number of 24 Hour Customer Service Calls	
		Self-Service	0
		Assisted	0

☐ Important Information About Your Account

Total interest paid to your account in 2009 : \$2.14

☐ Bank of America News

Stay ahead of your bills—such as rent, mortgage, credit card or utility payments—by setting up automatic reminders to be sent right to your e-mail or smart phone. With Payment Reminders from Bank of America®, it's easy to know when a payment is due. Get started at bankofamerica.com/solutions today.

With so many new tax law changes, you can't afford to take chances with your hard-earned money. Let Jackson Hewitt® help. Visit any participating location and show this statement to your tax preparer to receive \$25 off paid tax preparation. Coupon code: JEE3L. Offer expires 4/30/10. Visit www.jacksonhewitt.com/bankofamerica for details.

☐ FACTS - FDIC Insured Account Disclosure Information

We recently made changes to our Overdraft Protection Transfer Fee to better serve you. Effective immediately, when we determine your account is overdrawn by a total amount less than \$10 for a day and we transfer funds from your linked savings account to cover it, we will not charge an Overdraft Protection Transfer Fee. Overdraft Protection lets you link your checking account to another account to help avoid overdrafts. If you haven't already signed up, call the number on your statement or visit your nearby banking center and an associate can help you.

California

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NEOVISION, LLC
1025 SOLANO AVE
ALBANY CA 94706

30-0
3
4

FREE BUSINESS CHECKING ACCOUNT 41317564

LAST STATEMENT 01/29/10 6,720.13
3 CREDITS 6,306.38
7 DEBITS 7,631.39
THIS STATEMENT 02/26/10 5,395.12

DEPOSITS			
REF #	DATE	AMOUNT	REF #
02/09	2,000.00	02/17	3,956.38
		02/26	350.00

CHECKS			
CHECK #	DATE	AMOUNT	CHECK #
1008	02/02	400.00	1011
1010	02/23	149.33	1012
			02/22
			02/24

(*) INDICATES A GAP IN CHECK NUMBER SEQUENCE

OTHER DEBITS		
DESCRIPTION	DATE	AMOUNT
Bank of America MORTGAGE 055594921	02/03	5,549.32
CHECK # 1007 - RETAIL SERVICES1 CHECKPAYMT 1007	02/03	82.00
CHECK # 1009 - CITICARD PAYMENT CHECK PYMT 1009	02/16	954.64

DAILY BALANCE					
DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
02/02	6,320.13	02/16	1,734.17	02/23	5,429.92
02/03	688.81	02/17	5,690.55	02/24	5,045.12
02/09	2,688.81	02/22	5,579.25	02/26	5,395.12